

## REMARKS

### Amendments

Except as expressly discussed below, any changes made to the Application, including the claims, are made to improve the clarity, readability, or understanding of the application or a portion of the application that was changed. No amendment adds new matter, and none narrows the scope of any claim. Indeed, all amendments were made merely as cosmetic amendments to improve the readability and coherence of the resulting patent.

### Status of Prosecution

Claims 1-19 are pending. Claims 7-19 have been withdrawn from examination due to the restriction requirement made final in Office Action No. 2.

Applicants filed the application on December 8, 2003. The Examiner mailed a first, non-substantive, non-final office action on June 18, 2004 directed solely to a restriction requirement. Applicants filed a Response to the restriction requirement on July 7, 2004. The Examiner filed a first substantive office action (referred to in this document as "Office Action No. 2") on September 28, 2004 that both made final the restriction requirement, and included the results of a first substantive examination of the application.

On November 9, 2004 Applicants filed a Reply to Office Action No. 2, and also filed a Petition to Director from Final Restriction Requirement. Applicant did not receive a timely response to the Petition. Applicants' counsel, therefore, called the Director's office for a status report in view of the imminent date by which Applicants are required to take action in response to the Final Office Action filed by the Examiner on February 9, 2005. On June 9, 2005 Ms. Heather Shackelford called Applicant's counsel on behalf of the Director, stating that (a) the Patent Office had misplaced the Petition, but (b) she recalled having concluded that the restriction was consistent with current office practice involving restrictions. Applicant's counsel inferred from that statement that the Petition, if found, would be denied.

This paper, therefore, is in reply to the Examiner's Final Office Action.

Applicants request reconsideration and withdrawal of the objections and rejections in the Final Office Action

### **Examiner's General Objections and Rejections**

In paragraphs 4-5 of the Final Office Action the Examiner rejected claims 1-5 under 35 U.S.C. §103(a) over U.S. Patent No. 6,273,640 issued to Suazo, one of the inventors named in the present application ("Suazo Patent"), in view of U.S. Patent No. 3,446,045 issued to Koch on May 27, 1969 ("Koch Patent").

In paragraph 6 of the Office Action the Examiner stated that claim 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Rejection under 35 U.S.C. §103(a)**

In paragraphs 4-5 of the Final Office Action the Examiner rejected claims 1-5 under 35 U.S.C. §103(a) over U.S. Patent No. 6,273,640 issued to Suazo, one of the inventors named in the present application ("Suazo Patent"), in view of U.S. Patent No. 3,446,045 issued to Koch on May 27, 1969 ("Koch Patent").

In reply, Applicants incorporate by reference their arguments in Applicants' Reply to Office Action Number 2 filed by Applicants on November 19, 2004.

### **Amendment of Claim**

Claim 1 has been amended as shown in the Listing of Claims.

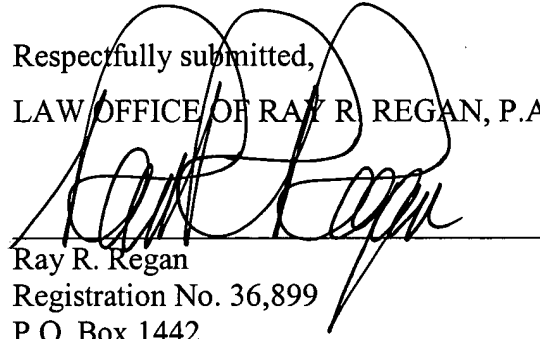
### **Conclusions**

For the reasons set forth above, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-5.

Applicants respectfully submit that Applicants have complied with 37 CFR §1.116 dealing with amendments of claims after a final action, and place the application in condition for allowance.

In conclusion, Applicant respectfully asserts that this Reply is complete as contemplated in 37 CFR §1.111, that claims 1-6 are patentable for the reasons set forth above, and that the Application is now in condition for allowance. Accordingly, Applicant respectfully requests an early notice of allowance. The Examiner is requested to call the undersigned at (505) 897-7200 for any reason that would advance the instant application to issue.

Respectfully submitted,  
LAW OFFICE OF RAY R. REGAN, P.A.



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